

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**109**

**CWP-32563-2025**

**Date of Decision : December 11, 2025**

**HAMIR SINGH**

**-PETITIONER**

**V/S**

**PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, PATIALA AND  
OTHERS**

**-RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present: Mr. Ravi Gakhar, Advocate  
for the petitioner.

Mr. Sahil R. Bakshi, A.A.G., Punjab.

Mr. Anupam Singla, Advocate  
for the respondents No.2 and 3.

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**KULDEEP TIWARI, J. (ORAL)**

1. The petitioner/workman has challenged the Award dated 07.11.2024 (Annexure P-1), wherethrough, his application, filed under Section 33-C(2) of the Industrial Disputes Act, 1947 (hereinafter referred to as the "I.D. Act"), for recovery of dues of ₹16,19,427/-, alongwith interest at the rate of 12% per annum, was partially allowed, and he was held entitled for retiral benefits alongwith interest at the rate of 6% per annum.

2. Learned counsel for the petitioner submits that the learned Tribunal concerned, has failed to consider two aspects; first, the recovery of ₹1,03,718/-, effected from the petitioner on 03.02.2016, by way of punishment is totally illegal; second, the petitioner even, vide order dated 26.03.2019, was held responsible for causing financial loss of ₹4,56,000/-

for shortage of wheat for crop year 2015-2016, 2016-2017 and 2017-2018, which was also illegal. These two aspects have not been considered while passing the impugned Award (*supra*), which requires interference.

3. On the other hand, learned counsel for respondents No.2 and 3, submits that the entire retiral benefits, as awarded by the learned Tribunal concerned, have already been paid to the petitioner, and for this, he draws attention of this Court towards paragraph No.4 of the short reply, filed on behalf of respondents no.2 and 3.

4. He further submits that the recovery of ₹1,03,718/- was done on account of the punishment imposed upon the petitioner, through the order dated 03.02.2016, and this order of punishment has never been put to challenge. Therefore, under Section 33-C of the I.D. Act, the learned Tribunal concerned has no jurisdiction to adjudicate the legality of the punishment order.

5. He further submits that the amount of ₹4,56,000/- was imposed upon the petitioner on account of shortage of wheat, through an administrative order dated 26.03.2019, and the petitioner voluntarily deposited the said amount through a cheque bearing No.773895 dated 26.03.2019. Therefore, this aspect also cannot be gone into until and unless the petitioner challenges this order under the appropriate provisions of law.

6. At this stage, learned counsel for the petitioner fairly submits that the issue(s) raised do not fall within the scope of Section 33-C of the I.D. Act. He, therefore, seeks permission to withdraw the present writ petition, with liberty to agitate the said issue(s) by filing an appropriate motion before the competent authority/forum/court, in accordance with law.

7. Consequently, the present writ petition is **dismissed as withdrawn**, with liberty (*supra*).

December 11, 2025  
devinder

(KULDEEP TIWARI)  
JUDGE

Whether speaking/reasoned : Yes/No  
Whether Reportable : Yes/No